



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0541/1
PJK:wlj:rs

**SENATE AMENDMENT 21,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 44**

June 18, 2003 - Offered by Senator M. MEYER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 195, line 13: increase the dollar amount for fiscal year 2003-04 by
3 \$470,300 and increase the dollar amount for fiscal year 2004-05 by \$1,710,900 to
4 increase funding for Medical Assistance benefits.

5 **2.** Page 195, line 14: increase the dollar amount for fiscal year 2003-04 by
6 \$1,116,700 and increase the dollar amount for fiscal year 2004-05 by \$4,062,400 to
7 increase funding for the purpose for which the appropriation is made.

8 **3.** Page 544, line 19: after that line insert:

9 **"SECTION 1398c.** 49.46 (1) (a) 1. of the statutes is amended to read:
10 49.46 (1) (a) 1. Notwithstanding s. 49.19 (20), any individual who, without
11 regard to the individual's resources and subject to par. (ar), would qualify for a grant
12 of aid to families with dependent children under s. 49.19.

1 **SECTION 1398d.** 49.46 (1) (a) 1g. of the statutes is amended to read:

2 49.46 (1) (a) 1g. Notwithstanding s. 49.19 (20), any individual who, without
3 regard to the individual's resources and subject to par. (ar), would qualify for a grant
4 of aid to families with dependent children but who would not receive the aid solely
5 because of the application of s. 49.19 (11) (a) 7.

6 **SECTION 1398e.** 49.46 (1) (a) 1m. of the statutes is amended to read:

7 49.46 (1) (a) 1m. Any pregnant woman whose income, determined in
8 accordance with par. (ar), does not exceed the standard of need under s. 49.19 (11)
9 and whose pregnancy is medically verified. Eligibility continues to the last day of
10 the month in which the 60th day after the last day of the pregnancy falls.

11 **SECTION 1398f.** 49.46 (1) (a) 6. of the statutes is amended to read:

12 49.46 (1) (a) 6. Any person not described in pars. (c) to (e) who, without regard
13 to the individual's resources and subject to par. (ar), would be considered, under
14 federal law, to be receiving aid to families with dependent children for the purpose
15 of determining eligibility for medical assistance.

16 **SECTION 1398g.** 49.46 (1) (a) 9. of the statutes is amended to read:

17 49.46 (1) (a) 9. Any pregnant woman not described under subd. 1., 1g., or 1m.
18 whose family income, determined in accordance with par. (ar), does not exceed 133%
19 of the poverty line for a family the size of the woman's family.

20 **SECTION 1398h.** 49.46 (1) (a) 10. of the statutes is amended to read:

21 49.46 (1) (a) 10. Any child not described under subd. 1. or 1g. who is under 6
22 years of age and whose family income, determined in accordance with par. (ar), does
23 not exceed 133% of the poverty line for a family the size of the child's family.

24 **SECTION 1398i.** 49.46 (1) (a) 11. of the statutes is amended to read:

1 49.46 (1) (a) 11. If a waiver under s. 49.665 is granted and in effect, any child
2 not described under subd. 1. or 1g. who has attained the age of 6 but has not attained
3 the age of 19 and whose family income, determined in accordance with par. (ar), does
4 not exceed 100% of the poverty line for a family the size of the child's family. If a
5 waiver under s. 49.665 is not granted or in effect, any child not described in subd. 1.
6 or 1g. who was born after September 30, 1983, who has attained the age of 6 but has
7 not attained the age of 19 and whose family income, determined in accordance with
8 par. (ar), does not exceed 100% of the poverty line for a family the size of the child's
9 family.

10 **SECTION 1398j.** 49.46 (1) (a) 12. of the statutes is amended to read:

11 49.46 (1) (a) 12. Any child not described under subd. 1. or 1g. who is under 19
12 years of age and whose income, determined in accordance with par. (ar), does not
13 exceed the standard of need under s. 49.19 (11).

14 **SECTION 1398k.** 49.46 (1) (ar) of the statutes is created to read:

15 49.46 (1) (ar) 1. Except as provided in subd. 2. and except to the extent that the
16 determination is inconsistent with 42 USC 1396a (a) (17), for purposes of
17 determining under par. (a) 1., 1g., or 6. whether an individual would qualify for a
18 grant of aid to families with dependent children under s. 49.19 or would be
19 considered, under federal law, to be receiving aid to families with dependent
20 children, or of determining whether an individual meets the income limits under par.
21 (a) 1m., 9., 10., 11., or 12., "income" includes income that would be included in
22 determining eligibility for aid to families with dependent children under s. 49.19 and
23 excludes income that would be excluded in determining eligibility for aid to families
24 with dependent children under s. 49.19.

1 2. Notwithstanding s. 49.19 (5), for purposes of determining under par. (a) 1.,
2 1g., or 6. whether an individual would qualify for a grant of aid to families with
3 dependent children under s. 49.19 or would be considered, under federal law, to be
4 receiving aid to families with dependent children, or of determining whether an
5 individual meets the income limits under par. (a) 1m., 9., 10., 11., or 12., (am), or (e),
6 the department shall exclude from the calculation of farm or self-employment
7 income any amounts claimed for depreciation for income tax purposes.

8 **SECTION 1398L.** 49.46 (1) (e) of the statutes is amended to read:

9 49.46 (1) (e) If an application under s. 49.47 (3) shows that the individual
10 individual's income, determined in accordance with par. (ar), meets the income limits
11 under s. 49.19, or that the individual meets the income and resource requirements
12 under federal Title XVI or s. 49.77, or ~~that the individual~~ is an essential person, an
13 accommodated person, or a patient in a public medical institution, the individual
14 shall be granted the benefits enumerated under sub. (2) whether or not the
15 individual requests or receives a grant of any of such aids.

16 **SECTION 1398m.** 49.46 (1) (L) of the statutes is repealed.”.

17 **4.** Page 545, line 5: after that line insert:

18 “**SECTION 1403g.** 49.47 (4) (am) 1. of the statutes is amended to read:

19 49.47 (4) (am) 1. A pregnant woman whose family income, determined in
20 accordance with par. (cg), does not exceed 155% of the poverty line for a family the
21 size of the woman's family, except that, if a waiver under par. (j) or a change in the
22 approved state plan under s. 49.46 (1) (am) 2. is in effect, the income limit is 185%
23 of the poverty line for a family the size of the woman's family in each state fiscal year
24 after the 1994–95 state fiscal year.

1 **SECTION 1403h.** 49.47 (4) (am) 2. of the statutes is amended to read:

2 49.47 (4) (am) 2. A child who is under 6 years of age and whose family income,
3 determined in accordance with par. (cg), does not exceed 155% of the poverty line for
4 a family the size of the child's family, except that, if a waiver under par. (j) or a change
5 in the approved state plan under s. 49.46 (1) (am) 2. is in effect, the income limit is
6 185% of the poverty line for a family the size of the child's family in each state fiscal
7 year after the 1994-95 state fiscal year.

8 **SECTION 1403i.** 49.47 (4) (c) 1. of the statutes is amended to read:

9 49.47 (4) (c) 1. Except as provided in par. (am) and as limited by subd. 3.,
10 eligibility exists if income, determined in accordance with par. (cg), does not exceed
11 133 1/3% of the maximum aid to families with dependent children payment under
12 s. 49.19 (11) for the applicant's family size or the combined benefit amount available
13 under supplemental security income under 42 USC 1381 to 1383c and state
14 supplemental aid under s. 49.77, whichever is higher. ~~In this subdivision~~

15 (cg) 1. Except as provided in subd. 3., for purposes of determining whether an
16 individual's income meets the income requirements under par. (c), "income" includes
17 earned or unearned income that would be included in determining eligibility for the
18 individual or family under s. 49.19 or 49.77, or for the aged, blind or disabled under
19 42 USC 1381 to 1385. ~~"Income" does not include and excludes~~ earned or unearned
20 income ~~which~~ that would be excluded in determining eligibility for the individual or
21 family under s. 49.19 or 49.77, or for the aged, blind or disabled individual under 42
22 USC 1381 to 1385.

23 **SECTION 1403j.** 49.47 (4) (c) 3. of the statutes is amended to read:

24 49.47 (4) (c) 3. Except as provided in par. (am), no person is eligible for medical
25 assistance under this section if the person's income, determined in accordance with

1 par. (cg), exceeds the maximum income levels that the U.S. department of health and
2 human services sets for federal financial participation under 42 USC 1396b (f).

3 **SECTION 1403k.** 49.47 (4) (cg) 3. of the statutes is created to read:

4 49.47 (4) (cg) 3. Notwithstanding s. 49.19 (5), for purposes of determining
5 whether an individual under par. (ag) or (am) is eligible for medical assistance, the
6 department shall exclude from the calculation of farm or self-employment income
7 any amounts claimed for depreciation for income tax purposes.

8 **SECTION 1403L.** 49.47 (4) (h) of the statutes is renumbered 49.47 (4) (cg) 2. and
9 amended to read:

10 49.47 (4) (cg) 2. ~~For the~~ Except as provided in subd. 3., for purposes of
11 determining whether an individual meets the income limits under par. (am),
12 “income” includes income that would be used included in determining eligibility for
13 aid to families with dependent children under s. 49.19 and excludes income that
14 would be excluded in determining eligibility for aid to families with dependent
15 children under s. 49.19.”

16 **5.** Page 548, line 14: after that line insert:

17 “**SECTION 1416m.** 49.665 (4) (a) 1. of the statutes is amended to read:

18 49.665 (4) (a) 1. The family’s income does not exceed 185% of the poverty line,
19 except as provided in par. (at) and except that a family that is already receiving
20 health care coverage under this section may have an income that does not exceed
21 200% of the poverty line. ~~The~~ Subject to par. (d), the department shall establish by
22 rule the criteria to be used to determine income.”

23 **6.** Page 548, line 21: after that line insert:

24 “**SECTION 1418c.** 49.665 (4) (d) of the statutes is created to read:

